



AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAC-19867 - APPLICANT: LAS VEGAS CIVIL ENGINEERING
- OWNER: RUTHERFORD MCKINNEY**

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
4. The limits of this Petition of Vacation shall be defined as a 20 foot wide alley located west of "D" Street, north of Owens Avenue.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would or should cross any right of way or easement being vacated must be retained.

**** STAFF REPORT ****

APPLICATION REQUEST

This request is to Vacate a 20-foot wide section of public right-of-way generally located west of D Street, north of Owens Avenue and south of Leonard Avenue.

EXECUTIVE SUMMARY

The applicant is requesting the vacation of an unpaved 20-foot wide, 129-foot long alley, as required by condition 15 of SDR-14769. This action is necessary to allow expansion of an existing office building.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
8/10/2006	The Planning Commission approved (SDR-14769) a request for a Site Development Plan Review for a proposed 1,792 square foot addition to an existing contractor business and a waiver of perimeter landscaping requirements on 0.51 acres at 400 West Owens Avenue
4/12/2007	The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #20/lhm).
<i>Pre-Application Meeting</i>	
A Pre-application meeting is not required for this type of application nor was one held.	
<i>Neighborhood Meeting</i>	
A Neighborhood Meeting is not required for this type of application nor was one held.	

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	Commercial	C
North	Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Multi-Family	C (Commercial)	R-3 (Residential Estates)
East	Commercial	C (Commercial)	C-2 (General Commercial)
West	Multi-Family	C (Commercial)	C-1 (Limited Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
West Las Vegas Plan	Y		Y
Redevelopment Plan	Y		
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175')	Y		Y
Northwest Sector	Y		Y
Southwest Sector	Y		Y
Trails		N	Y
Rural Preservation Overlay District		N	Y
Development Impact Notification Assessment		N	Y
Project of Regional Significance		N	Y

The subject site is located within the Downtown Redevelopment Plan area and the West Las Vegas Plan. The site is designated for Commercial uses under the Land Use Category of C (Commercial Use). The Commercial Use designation allows for uses that are normally permitted within the O, SC, and GC designations.

DETAILS OF APPLICATION REQUEST

The above property is legally described as a twenty-foot (20') wide right-of-way (alley) west of D street, north of Owens Avenue and south of Leonard Avenue.

Said property being a portion of the south half (S½) of the southwest quarter (SW¼) of the Southwest quarter (SW¼) of the southeast quarter (SE¼) of Section 22, Township 20 South, Range 61 east, M.D.M..

ANALYSIS

A) Planning discussion

Planning staff has no objection to the vacation request. No adverse effects to traffic circulation or site access would result with the proposed vacation.

B) Public Works discussion

We present the following information concerning this request to vacate certain public street ROW:

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? *It will result in a uniform right-of-way width as it will eliminate an unused alley.*
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? *No, since there is currently no traffic using this alley.*
- C. Does it appear that the vacation request involves only excess right-of-way? *Yes since no other portion of the alley was ever dedicated.*
- D. Does this vacation request coincide with development plans of the adjacent parcels? *Yes, Site Development Plan Review SDR-14769 shows the proposed vacated area as being incorporated into their site as a landscaped area and if left as right-of-way, would require an encroachment agreement.*
- E. Does this vacation request eliminate public street access to any abutting parcel? *No.*
- F. Does this vacation request result in a conflict with any existing City requirements? *No.*
- G. Does the Department of Public Works have an objection to this vacation request? *No.*

PLANNING COMMISSION ACTION

Condition #6 was added by the Public Works Department.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 5 by City Clerk

APPROVALS 0

PROTESTS 0